

DECLARATION, POWER OF ATTORNEY, AND PETITION

We,

- (1) Name: Jonathan L. Waite
Address: 148 E. 1600 S.
Orem, UT 84058
Citizenship: United States
- (2) Name: Thomas William Karlinsey
Address: 668 N. 450 E.
Orem, UT 84097
Citizenship: United States
- (3) Name: David V. Arnold
Address: 1015 W. 1150 S.
Provo, UT 84601
Citizenship: United States

declare: that our citizenship, residence address, and post office address are as set forth above; that we verily believe we are the original, first, and joint inventors of the subject matter of the invention or discovery entitled SYSTEM AND METHOD FOR INDENTIFICATION OF TRAFFIC LANE POSITIONS for which a patent is sought and which is described and claimed in the specification "attached hereto"; that we have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment specifically referred to herein; and that we acknowledge the duty to disclose information which is material to the patentability of this application in accordance with Section 1.56(a) of Title 37 of the Code of Federal Regulations.

We declare further that all statements made herein of our own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful, false statements and the like so made are

punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful, false statements may jeopardize the validity of the application or any patent issuing thereon.

We hereby appoint as our attorneys and/or patent agents all attorneys and/or patent agents listed under the following Customer Number, with full power of substitution and revocation, to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith:



022913

PATENT TRADEMARK OFFICE


All correspondence and telephonic communications should be directed to:

Kevin K. Johanson
WORKMAN, NYDEGGER & SEELEY
1000 Eagle Gate Tower
60 East South Temple
Salt Lake City, Utah 84111
Telephone: (801) 533-9800
Facsimile: (801) 328-1707

Wherefore, we pray that Letters Patent be granted to us for the invention or discovery described and claimed in the foregoing specification and claims, declaration, power of attorney, and this petition.

DATED this 26 day of September, 2001.

Inventor:


Jonathan L. Waite
148 E. 1600 S.
Orem, UT 84058

DATED this 26 day of September, 2001.

Inventor: Thomas William Karlinsky
Thomas William Karlinsky
668 N. 450 E.
Orem, UT 84097

DATED this 26 day of September, 2001.

Inventor: David V. Arnold
David V. Arnold
1015 W. 1150 S.
Provo, UT 84601

KKJ:amk

G:\DATA\WPDOCS3\KKJ\15455.1 Declaration 092101.doc

092101 Declaration 092101.doc

DECLARATION CLAIMING SMALL ENTITY STATUS
FOR A SMALL BUSINESS CONCERN

I, John Dougall, hereby declare: that I am Vice President of Research and Development of Wavetronix, an Idaho Limited Liability Company and having a principal place of business at 5314 North 250 West, Suite 110, Provo, Utah 84604; I am empowered to act on behalf of Wavetronix; and that Wavetronix qualifies as a small business concern as defined in 13 C.F.R. § 121.3-18 and 37 C.F.R. § 1.9(d), for purposes of paying reduced fees to the Patent and Trademark Office under Section 41(a) and (b) of Title 35, United States Code, in that the number of employees of Wavetronix, including those of its affiliates, does not exceed 500 persons. I understand that, for purposes of this declaration, (1) the number of employees is the average over the previous fiscal year of the number of persons employed on a full-time, part-time, or temporary basis during each of the pay periods of the fiscal year, and that (2) two business concerns are considered to be affiliates of each other when one business concern either directly or indirectly controls or has the power to control the other, or when a third party or parties control or have the power to control both business concerns.

I further declare that all rights, title, and interest relating to the invention entitled SYSTEM AND METHOD FOR IDENTIFICATION OF TRAFFIC LANE POSITIONS, invented by Jonathan L. Waite, Thomas William Karlinsey and David V. Arnold, as described in the patent application 15455.1 "filed concurrently herewith", have been conveyed to and currently remain with Wavetronix.

I further declare, upon information and belief, that certain rights, title, or interest relating to the invention entitled SYSTEM AND METHOD FOR IDENTIFICATION OF TRAFFIC

LANE POSITIONS, invented by Jonathan L. White, Thomas William Karlinsey and David V. Arnold, as described in the patent application 15455.1 "filed concurrently herewith", have been conveyed to and currently remain with Wavetronix and that every other individual, firm, or organization having any right in, to, or under the invention is listed below and qualifies as a small entity under 37 C.F.R. § 1.9; separate verified statements or declarations of each individual, firm, or organization so listed are filed concurrently herewith.

I acknowledge the duty to file, in the above-mentioned application or any patent issued in respect thereof, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of (1) the issue fee or (2) any maintenance fee due after the date on which status as a small entity is no longer appropriate. I further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful, false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful, false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this declaration is directed.

Signed at Provo, Utah, this 26 day of September 2001.

Wavetronix

By: 

KKJ:amk

G:\DATA\WPDOCS\KKJ\15455.1 Dec small entity 092101.doc

09/26/01 14:00